

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: PASCO, David
Serial No.: 10/826,559
Filed: April 16, 2004
For: Immunostimulatory Agents in Botanicals
Examiner: Patricia A. LEITH
Group Art Unit: 1655
Attorney's Docket No. 11636N/030319
Customer No. 32885

RESPONSE OFFICE COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

January 8, 2007 (Monday)

Dear Sir:

This paper is in response to the Communication mailed November 6, 2006, in connection with the above-identified application.

The Communication requested that Applicants "select a species of degradation product in addition to the election of botanical."

Previously, in response to the Election of Species Requirement mailed August 25, 2006, Applicants elected Echinacea as a "botanical species." Applicants further stated that each pending claim, whether on its own or through a base claim, is readable on an Echinacea species.

This election was without traverse.

Now, Applicants elect as a degradation product, toluene.

Each of claims 3, 4, 12, 13, and 48, either on its own or through a base claim, is readable on the toluene species.

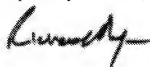
This election is without traverse.

As previously stated, with respect to the Election of Species requirement, Applicants understand that if no relevant prior art is found with respect to the elected species, the search will be expanded non-elected species. Applicants further understand that if no applicable prior art is discovered, the entire genus will be searched and examined.

From the foregoing, this Application is believed to be in condition for allowance, and such action is earnestly solicited.

If the Examiner has any questions concerning this election or the Application in general, she is respectfully requested to contact the undersigned at the number listed below.

Respectfully submitted,



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